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25 *Attorneys for Defendants and
 26 Counterclaimants Oracle America, Inc. and
 27 Oracle International Corp.*

28 UNITED STATES DISTRICT COURT

1 DISTRICT OF NEVADA

<p>19 RIMINI STREET, INC., a Nevada corporation, 20 Plaintiff, 21 v. 22 ORACLE AMERICA, INC., a Delaware 23 corporation; and ORACLE INTERNATIONAL 24 CORPORATION, a California corporation, 25 Defendants.</p>	<p>Case No. 2:14-cv-01699 LRH CWH DECLARATION OF CHRISTIAN B. HICKS IN SUPPORT OF ORACLE'S OPPOSITION TO RIMINI'S MOTION FOR PARTIAL SUMMARY JUDGMENT RE: PRECLUSION OF ORACLE'S ALREADY ADJUDICATED CLAIMS</p>
<p>26 ORACLE AMERICA, INC., a Delaware 27 corporation; and ORACLE INTERNATIONAL 28 CORPORATION, a California corporation, Counterclaimants, v. RIMINI STREET, INC., a Nevada corporation; SETH RAVIN, an individual, Counterdefendants.</p>	<hr/> <p>Judge: Hon. Larry R. Hicks</p> <p><u>REDACTED</u></p>

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5 I, Christian B. Hicks, declare as follows:

6 1. I have been retained as an expert witness in this matter by counsel for defendants
7 and counterclaimants Oracle America, Inc. and Oracle International Corp. (collectively,
8 “Oracle”). I have personal knowledge of the facts set forth in this declaration and would
9 competently testify to them if required.

10 2. I performed work and testified as an expert at trial in the previous Oracle lawsuit
11 against Rimini. I graduated summa cum laude with an A.B. in Computer Science from Princeton
12 University in 1997. I received training in data forensics from NTI in 2003 and from GIAC in
13 2015. From 1997 to 2015, I was a Co-Founder and President of Elysium Digital, a technical
14 litigation consulting company located in Boston, Massachusetts that specialized in
15 providing computer science and electrical engineering expertise in legal disputes
16 involving intellectual property, computer forensics, and other high-tech subject matter.
17 In 2015, Elysium Digital was acquired by Stroz Friedberg, where I served as a Managing
18 Director until 2017. Since September 2017, I have continued to work with Stroz Friedberg as an
19 independent contractor.

20 3. In this action, Oracle’s counsel asked me in part to evaluate Rimini Street, Inc.’s
21 (“Rimini”) development and use of certain software tools built to automate Rimini’s support
22 processes, including Rimini’s Automated Framework tool (“AFW”).

23 4. I have reviewed data produced by Rimini during discovery in this action showing
24 each instance in which Rimini used AFW to provide PeopleSoft support to its customers.

25 5. I understand that Rimini has defined “gap customers” as customers Rimini gained
26 between December 5, 2011, and February 13, 2014.

27 6. My analysis of Rimini’s AFW data shows that Rimini used AFW to [REDACTED]
28 [REDACTED]

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3 I declare under penalty of perjury under the laws of the United States that the foregoing
4 facts are true and correct, and that this declaration was executed on November 15, 2018, in
5 Boston, MA.

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7 By: 
8 Christian B. Hicks

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CERTIFICATE OF SERVICE

I certify that on November 16, 2018, I electronically transmitted the foregoing

**DECLARATION OF CHRISTIAN B. HICKS IN SUPPORT OF ORACLE'S
OPPOSITION TO RIMINI'S MOTION FOR PARTIAL SUMMARY JUDGMENT RE:
PRECLUSION OF ORACLE'S ALREADY ADJUDICATED CLAIMS** to the Clerk's
Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all
counsel in this matter; all counsel are CM/ECF registrants.

Dated: November 16, 2018

BOIES SCHILLER FLEXNER LLP

By: _____ */s/ Ashleigh Jensen*
Ashleigh Jensen